

SUPPORT FOR THE AMENDMENTS

Newly-added Claims 20-38 are supported by the specification and the original claims. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 20-38 are pending, upon entry of the amendment submitted above. Favorable reconsideration is respectfully requested.

The present invention relates to a method for the selective concentration of a macromolecule or of an agglomerate of molecules or of particles initially contained in a liquid sample. See Claim 20. The method includes:

providing of a liquid medium, wherein the liquid medium comprises:

a liquid sample comprising the macromolecule or the agglomerate to be concentrated; and

an interface layer, wherein the interface layer (a) is located at the surface of the liquid sample, (b) fixes the macromolecule or the agglomerate and (c) has a small volume compared to the volume of the liquid sample;

forming a stabilized dispersion of foam or emulsion type from a medium, by mechanical agitation of the medium or by injection, directly in the liquid sample, of gaseous or liquid capillary jets, to form an interstitial film constituting the foam or an interstitial medium constituting the emulsion; and

resorbing the dispersion to reform the interface layer by drainage of the interstitial film constituting the foam or by drainage of the interstitial medium constituting the emulsion, wherein the macromolecule or the agglomerate is concentrated in the interface layer.

The rejection of the claims under 35 U.S.C. §102(b) over Unger et al. is respectfully traversed. Unger et al. fail to disclose the claimed method.

Unger et al. disclose a nanocapsule encapsulation and method. See the Abstract.

The process of Unger et al. differs from the process of the invention, in that it does not describe several aspects of the claimed method-- i.e.:

- an interface layer located at the surface of the liquid sample and being able to fix selectively the compound to be concentrated contained in the liquid sample;
- the formation of a dispersion from the the interface layer and the liquid sample followed by the resorption step allowing reconstitution of the interface layer containing the material to be concentrated.

Therefore, the reference fails to disclose the claimed method. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §102(b) over Jaschke et al. is respectfully traversed. The reference fails to disclose the claimed method.

Jaschke et al. disclose hybridization-based affinity partitioning of nucleic acids using PEG-coupled oligonucleotides. See the Abstract.

The process described by Jaschke et al. includes a step of contacting an extract comprising mono-stranded nucleic acids with a biphasic medium dextran/PEG comprising PEG-coupled oligonucleotides. Once the hybridization is carried out, the duplex formed with the mono-stranded nucleic acids and the PEG-coupled oligonucleotides passes through chemical affinity in the PEG phase. All the examples specify that both phases present an equal volume. Hence, it is neither described nor suggested to form an interface layer to concentrate a molecule. Moreover, this reference does not describe a process of concentration, i.e., a process in which the concentration of a substance is increased, as claimed.

In view of the foregoing, Jaschke et al. fail to disclose the claimed method. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §102(b) over Ijiro et al. is respectfully traversed. The reference fails to disclose the claimed method.

Ijiro et al. describe a method for detecting the amount of nucleic acid polymer, which comprises the steps of modifying an intercalator to be amphiphilic by using a hydrophobic group, spreading the amphiphilic intercalator on an aqueous solution containing a nucleic acid polymer to form a monolayer of the nucleic acid polymer and the amphiphilic intercalator at the gas-water interface, and measuring surface pressures per unit area of the monolayer.

The reference fails to disclose or suggest forming a stabilized dispersion followed by a resorption step as claimed. Therefore, Ijiro et al. fail to disclose the claimed method. Withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendment submitted above. In view of the foregoing, the claims are definite within the meaning of 35 U.S.C. §112, second paragraph. Withdrawal of this ground of rejection is respectfully requested.

Application No. 10/507,521
Reply to Office Action of October 9, 2007

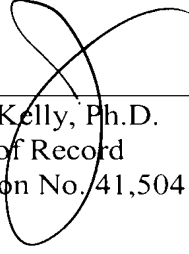
Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)



James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504